Remarks

Rejections under 35 U.S.C. § 112

Claims 19-22 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claim 19 recites first and second pairs of rolls and further recites that the pairs are located on different sides of the path. By way of example and explanation, the first pair of rolls 9, 11 and the second pair of rolls 13, 14 are shown in Fig. 1. Rolls 9, 11 are above the strip (i.e., above the path) and rolls 13, 14 are below the strip (i.e., below the path). Thus, the rolls are on different sides of the path.

Claim 19 formerly recited "a second pair of rolls each engaging a different one of the strips." Claim 19 has been amended for clarity to recite "a second pair of rolls, each of the second pair of rolls engaging a different one of the strips." As shown in Fig. 1, roll 13 and roll 14 each engage different strips 3 and 4.

Accordingly, as presently amended, claim 19 is definite.

Rejections under 35 U.S.C. § 102

Claims 1-3, 7-12, 14-15, 18-22, and 29-31 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,627,319 to Mattei et al. ("Mattei") or, in the alternative, as being obvious over Mattei.

Claims 1 and 15 recite monitoring the width of each of the strips and generating signals denoting the monitored signals.

The Office Action admits that Mattei only teaches measuring the width of one of the two strips, but argues that this effectively measures the widths of both strips.

However, this is only true if the width of the undivided web is always the same, which is typically technically impossible. As is the case with any other variable, the width of the undivided paper web is subject to random fluctuations. According to Mattei, the width of the one strip for which the width is measured is kept constant if a web width deviates while the deviation is shifted fully to the second partial strip. In this process, the percentage deviation is doubled since the partial strip has only half the width.

Accordingly, the idea behind the present invention is to measure the width of all of the strips and to compare these values. As a result, a deviation of the partial strip widths is detected and compensated, thereby ensuring that both strips have an equal width. In any event, it is respectfully submitted that Mattei fails to teach measuring both strips, and that the method of Mattei is insufficient to determine the width of both strips.

Furthermore, because the claimed invention results in an advantage not contemplated by Mattei (removing deviations resulting from fluctuations in the width of the strip prior to separating), adding an additional monitoring means would not be mere duplication, and thus, would not be obvious.

Furthermore, the Action states that it is noted that "the claims do not require having two separate sensors to measure the width of each of the strips."

To the contrary, claim 15 recites "means for monitoring the widths of each of the strips", which invokes 35 U.S.C. §112, sixth paragraph. In such instances, the Action must not only show that the prior art structure performs an identical function as that specified in the claim (i.e., a "monitoring" means), but that the prior art structure or step is the same as or equivalent to the structure, material, or acts described in the specification which has been identified as corresponding to the claimed means or step plus function. MPEP § 2182.

The structure in the specification corresponding to the "monitoring means" are two devices or sensors 26, 27. See Specification, e.g., page 22. Accordingly, claim 15, in effect, does require two sensors.